

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

CHAMBERS OF  
JEROME B. SIMANDLE  
DISTRICT JUDGE

ORIGINAL FILED WITH CLERK

UNITED STATES COURTHOUSE  
ONE JOHN F. GERRY PLAZA  
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CAMDEN, NJ 08101  
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October 2, 2009

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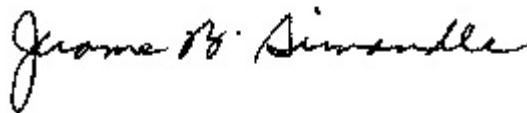
Elizabeth Ann Pascal, Assistant United States Attorney  
U.S. DEPARTMENT OF JUSTICE  
401 Market Street  
P.O. Box 2098  
Camden, NJ 08101

Re: Kerchner v. Obama  
Civil No. 09-253 (JBS-JS)

Dear Counsel:

I have received Mr. Apuzzo's letter of yesterday's date. Please be assured that these matters are receiving the court's attention. I remind counsel that both sides had obtained enlargements of time for submitting your written arguments to the court. Briefing upon the motions was not completed until July 31, 2009, and the parties have raised many issues and arguments. Counsel and clients may expect a written determination as soon as my research and decision upon these issues are completed.

Very truly yours,



JEROME B. SIMANDLE  
U.S. District Judge

JBS/ew

cc: Honorable Joel Schneider, U.S. Magistrate Judge